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PATENT



## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am an original, first and joint inventors of the invention entitled "PERSONAL HYDRATION AND COOLING SYSTEM" described and claimed in the specification.

I hereby state that I have reviewed and understand the contents of the specification, including the claims, in the above-referenced application, as amended by any amendment specifically referred to in the Declaration.

I acknowledge my duty pursuant to 37 C.F.R. §1.56 to disclose information of which I am aware which is material to the patentability of this application.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application to this application by me or my legal representatives or assigns, except as follows.

FEB-02-2004 10:18 PM

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Attorney's Docket No.: 12163N/022061

Customer No. 32885

I hereby claim foreign priority under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate having a filing date before the of the application on which priority is claimed:

None.

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed:

Title of Prior Application:

Personal Hydration and Cooling System

Application Serial No.

60/430,889

Filing Date of Prior Application:

December 3, 2002

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Attorney's Docket No.: 12163N/022061

Customer No. 32885

None.

I hereby appoint the following attorneys and agents to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith:

Richard S. Myers, Jr. 42.022 Vance A. Smith 24.320 David W. Nagle, Jr. 42,923 John E. Vanderburgh 24,041 Brooke J. Egan 45,623 Donald R. Andersen 28,280 Matt Gillies 48,803 Mandy V. Wilson 53,781 Paul Knowlton 44,842 Jeff Haeberlin 40,630

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Please direct all correspondence to:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Sent By: AquaTex Industries, Inc; To: Advanced Design At: 6502176 256 355 1449;

Jan-13-04 2:47PM;

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Attorney's Docket No.: 12163N/022061 Customer No. 32885

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Attorney's Docket No.: 12163N/022061

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